

REMARKS

In the Office Action identified above, the Examiner rejected claims 1-3, 19, and 21 under the judicially created doctrine of obviousness-type double patenting for being unpatentable over claims 1, 5, 2, 16, and 17, respectively, of Tachimori et al. (U.S. Patent No. 6,718,004); rejected claim 3 under 35 U.S.C. § 112, first paragraph; and rejected claims 1-3, 19, and 21 under 35 U.S.C. §103(a) as being unpatentable over Liu et al. (U.S. Patent No. 6,349,257) in view of Brems et al. (U.S. Patent No. 5,566,272).

I. The Rejection of Claims 1-3, 19, and 21 Under Judicially Created Doctrine of Obvious-Type Double Patenting

Claims 1-3, 19, and 21 were rejected under the judicially created doctrine of obviousness-type double patenting for being unpatentable over claims 1, 5, 2, 16, and 17, respectively, of Tachimori et al.

Applicants have enclosed a Terminal Disclaimer. Therefore, Applicants respectfully request that the Examiner withdraw the double patenting rejection.

II. The Rejection of Claim 3 Under 35 U.S.C. § 112

Claim 3 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse this rejection. However, to expedite prosecution, Applicants have amended claim 3 . Support for this amendment is provided in the specification at, for example, page 15, line 11-page 16, line 16. Applicants submit that claim 3 fully meets the requirements of 35 U.S.C § 112, first paragraph. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claim 3 under 35 U.S.C. § 112.

III. The Rejection of Claim 1-3, 19, and 21 Under 35 U.S.C. § 103(a)

Claims 1-3, 19, and 21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Liu et al. in view of Brems et al. Applicants point out that the present application claims priority to Japanese patent application P11-185859 having an effective date of June 30, 1999. This is earlier than the effective date of Liu et al., namely, September 15, 1999. Therefore, Liu et al. is not prior art to the application. Applicants respectfully request the Examiner to withdraw the rejections of claims 1-3, 19, and 21 under 35 U.S.C. § 103(a) and to allow the claims.

IV. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By: 
Milan Kapadia
Reg. No. 55,982